

# Wetlands Bureau Decision Report

Decisions Taken  
07/28/2003 to 08/01/2003

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**1999-00238                      JOHNSON REVOCABLE TRUST, BETTY**  
**GILFORD   Lake Winnepesaukee**

### Requested Action:

Amend permit; change 6 ft by 30 seasonal dock to a 6 ft by 30 ft permanent piling supported dock.

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### Conservation Commission/Staff Comments:

Conservation Commission has no objections to the proposed breakwater.

Inspection Date: 12/29/1999 by John J St. John

### APPROVE AMENDMENT:

1. Fill 607 sq ft (approx. 85 cubic yards) in public waters to construct a 40 ft long breakwater (measured at the full lake elevation), with a 6 ft gap at the shoreline.
2. Attach a 6 ft by 30 ft dock cantilevered to the breakwater.
3. Install a 6 ft by 30 piling supported dock extending no more than 30 ft lakeward of the full lake elevation.
4. Drive one tie-off piling approx. 5 ft from the end of the cantilevered pier, to cross-tie a boat away from the permanent pier.
5. Install a 14 ft by 20 ft seasonal canopy between the cantilevered pier and the 6 ft by 30 ft permanent pier.

### With Conditions:

1. All work shall be in accordance with revised plans by Steven Smith Associates Inc., as received by the Department on July 13, 2000 and permanent pier amendment request plans by Winnepesaukee Marine Construction received by the Department on September 23, 2002.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls must be in place prior to construction, maintained during construction, and remain until the area is stabilized.
4. No portion of the breakwater, including any portion underwater, shall be placed within 20 feet of an abutting property line or its imaginary extension into the water.
5. No portion of breakwater above normal full lake shall extend more than 43 feet from normal full lake shoreline
6. Top of breakwater shall be no more than three feet in elevation above normal full lake elevation.
7. Breakwater side slope shall be 1:1½, rise to run, or greater.
8. Breakwater shall have an irregular face to diffuse wave activity.
9. These shall be the only docking structures on this water frontage.
10. No portion of the pier shall extend more than 30 feet from the shoreline at full lake.
11. There shall not be a walkway or wharf along the shore between the two piers.
12. The seasonal canopy shall be an open structure, without sidewalls.
13. The seasonal canopy frame and fabric shall be removed during the non-boating season.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483:B (see attached fact sheet).

### With Findings:

1. This project is classified as a major impact project per Rule Wt 303.02(d).
2. The applicant has 150.1 feet of shoreline frontage on Lake Winnepesaukee.
3. A maximum of three boat slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The existing and proposed docking facilities will provide 3 boatslips as defined by Rule Wt 101.07, Boatslip and therefore are within the requirements of Rule Wt 402.14, Frontage Over 75'.
5. This property meets the criteria of Rule Wt 402.07(b)(2) to establish the need for a breakwater.
6. Public hearing is waived based on field inspection, by NH DES staff, on Dec. 29, 1999, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2002-01168                      NH DEPT OF TRANSPORTATION**  
**EASTON   Wild Ammonoosuc River**

Requested Action:

Amendment requested to add a catch basin, drop inlet and outlet increasing permanent impacts by 2,175 sq. ft. and reducing temporary impacts by 6,665 sq. ft.

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Inspection Date: 12/19/2002 by Gino E Infascelli

APPROVE AMENDMENT:

AMENDMENT: Impact 25,071 sq. ft. and temporarily impact 60,620 sq. ft. of palustrine and riverine systems to add a catch basin, drop inlet and outlet, rehabilitate, improve or replace existing structures, realign roadway, improve travel lanes and shoulders and remove sediment/ debris from an existing shrub wetland. NHDOT project #12971.

With Conditions:

1. All work shall be in accordance with plans:
  - a. by Clough, Harbour & Assoc., sheets 5,6,9,10 and 12 dated 5/16/02, as received by the Department on June 5, 2002 and the amended plans, sheets 1,4,7,8,11 and 13 dated 11/19/02 as received by the Department on December 3, 2002 and
  - b. Plans as modified by NHDOT Bureau of Highway Design attached to a July 3, 2003 memo as received on July 9, 2003.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as

purple loosestrife or Phragmites.

18. Stamped engineering plans, relative to rip rap in excess of 100 linear feet along a stream or river, shall be submitted to the file as required per Rule Wt 404.04 and prior to any construction activity.

19. The blasting of ledge will be conducted in a manner to limit rock deposition in areas of jurisdiction.

20. A line of barrier along the edge of pavement on the side of the road adjacent to the river as a measure to contain the blasted rock fall be utilized.

21. Blasted rocks shall be removed between blasts with the exception of large rocks that may require additional blasting or drilling prior to removal.

22. The NHDOT shall submit pre and post blast photographs with a legend of view locations where blasted rock has potential to land.

23. A field review shall be coordinated with DES Wetlands Bureau staff following completion of the blasting to review impacts associated with deposited rock.

24. NHDOT shall hire an independent consultant to conduct a post-project environmental assessment of the blasting impacts to areas in DES jurisdiction.

25. The independent consultant shall provide a post project estimate of the volume of rock deposited from the blasting in areas of jurisdiction.

26. If a DES review of the post-project assessment finds that there are significant impacts to jurisdictional areas, NHDOT shall prepare a restoration plan for approval by DES.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq. ft. of nontidal wetlands and Wt 303.02(i), alteration of more than 200 linear feet of stream.

2. The amendment is due to the inability to gain the easements required to build the original design.

**2002-02071                      GOFFSTOWN, TOWN OF**  
**GOFFSTOWN   Unnamed Wetland**

Requested Action:

Permanently impact 34,880 square feet of palustrine, forested, scrub-shrub and emergent wetlands and replace a 4' x 6' x 65' box culvert to reconstruct and restore approximately 3,000 linear feet of an existing drainage course with an unconsolidated bottom so as to alleviate flooding.

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Inspection Date: 04/17/2002 by Jocelyn S Degler

Inspection Date: 07/28/2003 by Jeffrey D Bleharczyk

APPROVE PERMIT:

Permanently impact 34,880 square feet of palustrine, forested, scrub-shrub and emergent wetlands and replace a 4' x 6' x 65' box culvert to reconstruct and restore approximately 3,000 linear feet of an existing drainage course with an unconsolidated bottom so as to alleviate flooding.

With Conditions:

1. All work shall be in accordance with plans by CLD dated July, 2002, as received by the Department on September 16, 2002.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. The applicant shall obtain all necessary easements or permissions from affected landowners and shall supply copies of the recorded easements to DES Wetlands file number 2002-02071 prior to the start of construction.

4. This permit is contingent on review and approval by the DES Wetlands Bureau of a restoration planting plan.

5. This permit is contingent on review and approval by the DES Wetlands Bureau of stream diversion and sediment and erosion control plans. Those plans shall detail the timing and method of stream flow diversion as may be required during construction, and shall show temporary siltation/erosion/turbidity control measures to be implemented.

6. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.

7. The contractor responsible for this project shall have an environmental consultant or scientist walk the area prior to commencing work and document the presence or absence of spotted turtles. If spotted turtles are documented, the applicant shall contact the NH Fish & Game Nongame & Endangered Wildlife Program prior to commencing any work.
8. Work shall be done during low flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Any in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
11. There shall be no excavation or operation of construction equipment in flowing water.
12. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material, and any invasive plant species, shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project will impact 34,880 sq. ft. of palustrine, scrub-shrub, emergent and forested wetlands and unconsolidated channel bottom and therefore is a major impact project per Administrative Rule Wt 303.02(h), alteration of more than 20,000 sq. ft. of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a pre-application site inspection of the proposed project on April 4, 2002. Field inspection determined the Town and state should gather information about the history of the drainage course to facilitate the decision making process to address localized flooding associated with the drainage course.
6. DES Staff conducted a field inspection of the proposed project on July 28, 2003. Field inspection determined drainage course is over grown with vegetation and sections are congested with yard waste and household debris.
7. DES personnel documented no channel scouring. The drainage course is presently dry and is therefore not considered a perennial stream.
8. DES personnel documented invasive plant species along the drainage course which will require proper handling and disposal.
9. This project as designed will alleviate localized flooding and maintain nutrient attenuation and sediment trapping.
10. The New Hampshire Fish & Game has identified this area as possible habitat for the spotted turtle, and requests a site inspection prior to commencing work.
11. This project should have no adverse effects on the spotted turtle habitat as designed.
12. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

Requested Action:

Applicant requests to amend permit to increase setback to southeast property line.

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Conservation Commission/Staff Comments:

Con Com has no remarks

Inspection Date: 05/30/2003 by Darlene Forst

APPROVE AMENDMENT:

Amend permit to read:

1. Permanently remove an existing non-conforming breakwater and docking facility.
2. Fill 925 sq ft to construct 57 linear ft of breakwater, in an "L" configuration, with a 24 ft gap at the shoreline, and a 4 ft x 25 ft cantilevered pier accessed by a 6 ft x 40 ft piling and cantilevered supported pier with 3 ft by 25 ft piling supported finger pier in an "F" shaped configuration.
3. Dredge 7 cy from 350 sqft in the shoreward boat slip of the proposed docking facility.
4. Construct a 6 ft by 25 ft piling supported wharf along the shore and install 2 jetski lifts along the wharf.

With Conditions:

1. All work on this average of 158 ft of frontage on Lake Winnepesaukee in Tuftonboro shall be in accordance with plans by Lakeshore Construction dated October 2, 2002, as revised June 4, 2003, as received by the Department on June 11, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. Dredged material and construction debris shall be placed outside of any areas within jurisdiction.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 158 feet of frontage along Lake Winnepesaukee, Tuftonboro.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspections, by NH DES staff, on January 22, 2003 and May 30, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

7. The proposed breakwater and docking facility meet the required 20 setback from property lines and will provide more navigational space from the abutters than the current configuration.

-Send to Governor and Executive Council-

**2003-00444                      BURBANK, VIRGINIA**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Install a 6 ft x 35 ft seasonal dock attached to 54 linear ft of existing retaining wall, adjacent to an existing 18 ft x 35 ft 6 in boathouse, with an existing 4 ft x 32 ft permanent dock, attached to 50 linear ft of an existing breakwater on an average of 236 ft of frontage on Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. requested revised plans from applicant.

APPROVE PERMIT:

Install a 6 ft x 35 ft seasonal dock attached to 54 linear ft of existing retaining wall, adjacent to an existing 18 ft x 35 ft 6 in boathouse, with an existing 4 ft x 32 ft permanent dock, attached to 50 linear ft of an existing breakwater on an average of 236 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 25, 2003, revised July 15, 2003, as received by the Department on July 21, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed for the non-boating season.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. These shall be the only structures on this water frontage.
10. No work is authorized to the existing retaining wall, boathouse, permanent dock, and breakwater.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(d), modification of a docking structure adjacent to a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) , Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 23, 2003. Field inspection determined the project to be approvable.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine

system.

-Send to Governor and Executive Council-

**2003-00586                      HARE, DOROTHY/J PETER**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Extend and relocate existing 6 ft x 11 ft seasonal walkway 14 linear ft, accessing (2) existing 6 ft x 20 ft seasonal piers connected by (2) 6 ft x 13 ft seasonal walkways, in a "Y" shape, on an average 150 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. did not have appropriate plans to make a determination.

APPROVE PERMIT:

Extend and relocate existing 6 ft x 11 ft seasonal walkway 14 linear ft, accessing (2) existing 6 ft x 20 ft seasonal piers connected by (2) 6 ft x 13 ft seasonal walkways, in a "Y" shape, on an average 150 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 10, 2003, revised May 27, 2003, as received by the Department on July 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 55 feet from the shoreline at full lake elevation.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(k), as the project has known occurrences of state listed threatened species, Common Loon.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 30, 2003. Field inspection determined the project is approvable with appropriate water depth measurements as proof of need.



6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.
7. The proposed pier will have no more impact on the Common Loons than the existing pier.

-Send to Governor and Executive Council-

**2003-00858                      NINE, KIMBERLY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Extend existing 6 ft x 13 ft seasonal walkway by 5 linear ft, accessing (2) existing 6 ft x 32 ft seasonal piers connected by (2) existing 6 ft x 8 ft seasonal walkways, in a "Y" shape, on an average of 159 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. requested water depth measurements

Loon Preservation Committee had concerns about loon nesting and rearing of chicks.

APPROVE PERMIT:

Extend existing 6 ft x 13 ft seasonal walkway by 5 linear ft, accessing (2) existing 6 ft x 32 ft seasonal piers connected by (2) existing 6 ft x 8 ft seasonal walkways, in a "Y" shape, on an average of 159 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 15, 2003, revised July 23, 2003, as received by the Department on July 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 60 feet from the shoreline at full lake elevation.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(k), the project has known occurrences of state listed threatened species, Common Loon.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 30, 2003. Field inspection determined the project is approvable with appropriate water depths showing proof of need.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.
7. The proposed docking facility shall have no greater impact on the Common Loons than the existing docking facility.

-Send to Governor and Executive Council-

**2003-00862                      TRUSTEY, KRISTINE**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Extend existing 6 ft x 13 ft seasonal walkway 14 linear ft, accessing (2) existing 6 ft x 26 ft seasonal piers connected by an existing 6 ft x 11 ft 11 in seasonal walkway in a "Y" shape on an average of 151 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Loon Preservation Committee had concerns about loon nesting and chick rearing.

Con. Com. did not respond

APPROVE PERMIT:

Extend existing 6 ft x 13 ft seasonal walkway 14 linear ft, accessing (2) existing 6 ft x 26 ft seasonal piers connected by an existing 6 ft x 11 ft 11 in seasonal walkway in a "Y" shape on an average of 151 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 23, 2003, as received by the Department on July 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 58 feet from the shoreline at full lake elevation.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(k), as the project has known occurrences of state listed

threatened species, Common Loon.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 30, 2003. Field inspection determined the project is approvable with appropriate water depth measurements as proof of need.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.
7. The proposed pier will have no greater impact on the Common Loons than the existing pier.

-Send to Governor and Executive Council-

## MINOR IMPACT PROJECT

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**2002-02684                      BOLDUC, NANCY**  
**BARNSTEAD   Manmade Ditch**

### Requested Action:

Deny permit to install a 48-inch x 90 foot CMP culvert to meet setback requirements to the proposed septic system on a proposed building lot.

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### Conservation Commission/Staff Comments:

The Barnstead Conservation Commission has not commented on this project.

### DENY PERMIT:

Deny permit to install a 48-inch x 90 foot CMP culvert to meet setback requirements to the proposed septic system on a proposed building lot.

### With Findings:

#### Standards for Approval:

1. This is a Minor Impact Project per NH Code of Administrative Rule Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Administrative Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Administrative Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Administrative Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Administrative Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. Administrative Rule Wt 302.04(d)(4) states the department shall not grant a permit if the project proposes fill of a wetland to achieve septic set back from wetlands to meet water division or local requirements.

Findings of Fact:

8. On December 16, 2002, a Standard Dredge and Fill application was received by DES to replace the existing 22 foot culvert with a 123 foot culvert for access and septic setback to a proposed single family building lot.
9. Plans illustrate a previously existing 20 foot crossing for access to this lot.
9. On February 12, 2003, DES Wetlands Bureau issued a Request for More Information with an alternative plan which illustrated the location of a system which would require no additional wetland impacts and would meet the requirements of the NHDES Subsurface Rules. DES noted from the proposed plans that the work proposed was not on the applicant's property but within the Colony Drive Right-of-Way. DES also requested a letter of written agreement in accordance with Rule Wt 304.04(a) from the abutter of lot 39-179.
10. On May 15, 2003, DES Wetlands Bureau received a new plan revised to illustrate a 48-inch x 123 foot culvert, and a letter.
11. On May 21, 2003, a site inspection was conducted to determine the quality of the stream and to verify what adjacent lot owners had for access to their properties.
12. The applicant has stated that this stream is man made. DES researched historical USGS Topographical Maps and has determined that this stream is the remnant of a much larger wetland system which was flooded and filled sometime after 1957.

Findings in support of denial:

12. The applicant has failed to provide a letter of written agreement from the property owner of lot 39-179 in accordance with Administrative Rule Wt 304.04(a).
13. The applicant has simply disregarded correspondence from DES which illustrates that this lot can meet DES Subsurface Rules Env-Ws 1000 and DES Wetlands Rules Chapter Wt 100-700.
14. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have less adverse impact on areas under the department's jurisdiction.
15. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of a stream.
16. This project is denied in accordance with Rule Wt 302.04(d)(4), which states the department shall not permit fill for septic setback.

**2003-00145                      LEARY, PAUL**  
**HAMPTON   Meadow Pond**

Requested Action:

Impact 2,600 square feet of upland tidal buffer zone for the construction of a 32 ft x 28 ft single-family residence and associated driveway on an undeveloped lot of record in Hampton.

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Inspection Date: 07/28/2003 by Christina Altimari

APPROVE PERMIT:

Impact 2,600 square feet of upland tidal buffer zone for the construction of a 32 ft x 28 ft single-family residence and associated driveway on an undeveloped lot of record in Hampton.

With Conditions:

1. All work shall be in accordance with plans by Parker Survey & Engineering dated January 2, 2003, with revisions dated March 17, 2003, as received by the Department on June 16, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. All aspects of the project shall be in accordance with the Comprehensive Shoreland Act Variance Approval #2003-1214.
8. There shall be no alteration of wetlands for lot development, driveways, culverts, or for septic setback.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b), projects within 100 feet on the highest observable tide line that alter any undeveloped uplands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Wt 302.04(c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed single-family residence will not require the filling of wetlands for development.
6. The requirement to obtain written approval from the abutter within twenty feet of the proposed driveway construction has been waived based on DES field inspection for this project.
7. DES field inspection finds that the abutter whose property line lies within 20 feet of the proposed driveway construction will not receive any negative environmental impacts as a result of the driveway construction.
8. The proposed construction of the residence on the property in question will not diminish the property value of the surrounding properties, as the use will be identical to the each of the developed abutting properties.
9. The lot was originally recorded as a building lot of record and the owner has been paying taxes accordingly.
10. This Wetlands Approval is contingent upon the approved variance to RSA 483-B.

**2003-00298                      GATCHELL, J BRUCE & ELAINE**  
**NORTHWOOD   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 8,386 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with two culvert crossings to access a 13-lot residential subdivision on a 39.58 acre parcel of land.

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Conservation Commission/Staff Comments:

The Northwood Conservation Commission has reviewed the project and made recommendations for approval conditions.

APPROVE PERMIT:

Dredge and fill a total of 8,386 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with two culvert crossings to access a 13-lot residential subdivision on a 39.58 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated December 11, 2002, as received by the Department on February 14, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00925                      PESATURO SR, JOHN**  
**CAMPTON   Tributary To Mad River**

Requested Action:

Fill 1,325 feet within an unnamed perennial stream (impacting 120 linear feet within the bed and banks) to extend an existing 24" x 25' culvert under an existing driveway crossing with an additional 32' of culvert.

\*\*\*\*\*

Conservation Commission/Staff Comments:

\*In a letter dated May 9, 2003, and June 18, 2003, a previous owner of the lot stated that they were concerned about the project because the existing septic system is for a 1 bedroom cottage, and the current lot owner has added a 2 bedroom addition. Also, they stated that when the original driveway was constructed, they understood that no further impacts would be allowed to the stream.

DENY PERMIT:

Deny permit to fill 1,325 feet within an unnamed perennial stream (impacting 120 linear feet within the bed and banks) to extend an existing 24" x 25' culvert under an existing driveway crossing with an additional 32' of culvert.

With Findings:

Standards for Approval:

1. This is a Minor Project per the NH Code of Administrative Rules Wt 303.03 (l), as proposed impacts are less than 200 linear feet to a perennial streambed and banks.
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
4. According to Rule Wt 302.04(d)(1), the department shall not grant a permit if there are practicable alternatives that would have a less adverse impact on the area and environments under the department's jurisdiction
5. The applicant must demonstrate by plan and example that each of the factors listed in Wt 302.04(a), Requirements for Application Evaluation have been considered in the design of their project.
6. According to Rule Wt 302.04(d)(5), the department shall not grant a permit if the requirements of Rule Wt 302.03 are not met or where the applicant has failed to document consideration of factors as required in Rule Wt 302.04(a).

Findings of Fact:

7 On May 19, 2003, a Standard Dredge and Fill Application was received by DES that proposed fill 1,325 feet within an unnamed perennial stream (impacting 120 linear feet within the bed and banks) to extend an existing 24" x 25' culvert under an existing driveway crossing with an additional 32' of culvert. The application stated that the project is needed "to keep stream clear of debris & snow that causes obstruction of flow..."

8. On May 20, 2003, DES received a letter from the previous owner of the lot that stated when they owned the lot they installed the driveway culvert and understood that no further impacts would be allowed to the stream. In addition, the existing septic system is for a 1-bedroom cottage, and the current owner has constructed a 2-bedroom addition.

9. On June 20, 2003, DES received a letter from the previous owner of the lot that stated that the Campton Planning Board should not have allowed the current owner to have a 3-bedroom cottage on a 1-bedroom septic system.

Findings in support of denial:

10. The applicant failed to provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.

11. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have a less adverse impact on the area under the department's jurisdiction.
12. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of a perennial stream and riparian habitat.
13. The project is denied per Rule Wt 302.04(d)(5) as the requirements of Wt 302.03 were not met and because the applicant failed to document factors as required in Wt 302.04(a).

**2003-01024                      WHEELER, NANCY**  
**HAMPTON   Tidal Buffer Zone**

Requested Action:

Impact 1,623 square feet of upland developed tidal buffer zone for the construction of a second story, deck, and entrance stairs on an existing single-family residence, and the planting of eleven shrubs (including Bayberry - *Myrica penslyvanica* and Rugosa Rose - *Rosa rugosa*) for enhancement of the buffer between the residence and the tidal salt marsh.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Digitized from tax map.

Inspection Date: 07/28/2003 by Christina Altimari

APPROVE PERMIT:

Impact 1,623 square feet of upland developed tidal buffer zone for the construction of a second story, deck, and entrance stairs on an existing single-family residence, and the planting of eleven shrubs (including Bayberry - *Myrica penslyvanica* and Rugosa Rose - *Rosa rugosa*) for enhancement of the buffer between the residence and the tidal salt marsh.

With Conditions:

1. All work shall be in accordance with plans by E.J. Cote & Associates Inc. dated May 23, 2003, as received by the Department on May 28, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects that involve work within 50 feet of the saltmarsh.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Two of the three abutters whose property lines exist within 20 feet of the proposed impacts have provided their written approval.
6. DES Staff conducted a field inspection of the proposed project on July 28, 2003.
7. DES field inspection finds that the proposed project will not cause any negative environmental impacts to the abutting property and natural community of special concern, a Gulf of Maine Salt Marsh. DES field inspection also finds that the planting of eleven Bayberry and Rugosa Rose shrubs will enhance the buffer between the proposed construction and the saltmarsh.
8. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened vertebrate species within the project vicinity, Arctic Tern (*Sterna paradisaea*), and one state endangered vertebrate species within the project vicinity, Common Tern (*Sterna*

hirundo). Also, NHNHI has record of one natural community of special concern within the project vicinity, a Gulf of Maine Salt Marsh.

9. DES field inspection and review of this application finds that the threatened and endangered species, or the natural community of special concern will be directly impacted as a result of the project.

## MINIMUM IMPACT PROJECT

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**2002-02709                      STACKPOLE, ROBERT**  
**SOMERSWORTH   Unnamed Wetland**

### Requested Action:

Construct two (2) timber boardwalk sections on piles, one being 5 ft. X 148 ft. the other being 5 ft. X 96 ft. to carry pedestrians over wetland portions of the municipal walking trail on the perimeter of Willand Pond.

\*\*\*\*\*

### Conservation Commission/Staff Comments:

The Conservation Commission signed this minimum impact expedited application.

### APPROVE PERMIT:

Construct two (2) timber boardwalk sections on piles, one being 5 ft. X 148 ft. the other being 5 ft. X 96 ft. to carry pedestrians over wetland portions of the municipal walking trail on the perimeter of Willand Pond.

### With Conditions:

1. All work shall be in accordance with plans by the City of Somersworth as received by the Department on December 23, 2002.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

**2003-00192                      SUNAPEE, TOWN OF**  
**SUNAPEE   Tributary To Lake Sunapee**

### Requested Action:

Dredge and fill approximately 600 square feet in riverine wetlands and within the banks of Muzzey Brook to replace the bridge. Work within jurisdiction consists of the replacement of the abutments and construction of a new bridge deck.

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### Conservation Commission/Staff Comments:

Conservation Commission approves of the need to replace the bridge

Inspection Date: 05/07/2003 by Jeffrey D Blecharczyk

### APPROVE PERMIT:

Dredge and fill approximately 600 square feet in riverine wetlands and within the banks of Muzzey Brook to replace a bridge. Work within jurisdiction consists of the replacement of the abutments and construction of a new bridge deck.



With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on January 28, 2003 and letters dated June 9, 2003 as received by the Department on June 17, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All steps shall be taken during construction necessary to assure that no water quality violations occur.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), disturbance of less than 50 linear feet along the thread of a seasonal stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES personnel conducted a site inspection on May 7, 2003, and determined the abutments are failing and require replacement.
6. DES documented the southeast abutment had been replaced, though no additional work had been conducted.
7. DES has determined this project will have no adverse effects on the environment.

**2003-01193                      MITCHELL, PETER**  
**SEABROOK   Atlantic Ocean**

Requested Action:

Amend permit to read: Impact 284 square feet within a sand dune jurisdiction area for the construction of a 4 ft x 8 ft addition and a 14 ft x 18 ft garage on an existing single-family residence.

\*\*\*\*\*

Inspection Date: 07/10/2003 by Christina Altimari

APPROVE AMENDMENT:

Amend permit to read: Impact 284 square feet within a sand dune jurisdiction area for the construction of a 4 ft x 8 ft addition and a 14 ft x 18 ft garage on an existing single-family residence.

With Conditions:

1. REVISED CONDITION: All work shall be in accordance with plans by Peter Mitchell dated July 31, 2003, as received by the Department on July 31, 2003.

**2003-01256                      FIELD JR, ROBERT & ELIZABETH**  
**NORTH HAMPTON   Little River**

Requested Action:

Impact 300 square feet of wetlands for the in-kind repair of an existing dam structure on the Little River in Hampton.

\*\*\*\*\*

Inspection Date: 07/22/2003 by Christina Altimari

APPROVE PERMIT:

Impact 300 square feet of wetlands for the in-kind repair of an existing dam structure on the Little River in Hampton.

With Conditions:

1. All work shall be in accordance with plans by Robert B. Field, Jr. dated July 22, 2003, as received by the Department on July 23, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on prior coordination with the DES Dam Safety Program.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Construction equipment shall not be located in the riverbed unless there is prior coordination with, and written approval from the DES Coastal Wetlands Bureau.
7. Prior to commencing work on the dam substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Temporary cofferdams shall be entirely removed immediately following construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of existing structures..
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES field inspection on July 22, 2003 confirmed that the existing dam is in need of repair in order to prevent complete structure failure and possible loss of surrounding wetlands.

**2003-01470                      SCAGLIOTTI REVOC TRUST, NACKEY**  
**PORTSMOUTH   South Mill Pond**

Requested Action:

Impact 1,496 square feet of tidal buffer zone for the replacement of an 8-inch (diameter) failed sewer line.

\*\*\*\*\*

APPROVE AFTER THE FACT:

Impact 1,496 square feet of tidal buffer zone for the replacement of an 8-inch (diameter) failed sewer line.

With Conditions:

1. All work shall be in accordance with the plan by Robert Scagliotti dated July 15, 2003 as received by DES on July 15, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

With Findings:

1. An emergency authorization was issued on July 15, 2003 for this work to repair a failed sewer line.

**2003-01500                      LACAILLADE, MARK**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Repair in-kind existing 18 ft 11 in x 34 ft nonconforming boathouse constructed on (2) existing 8 ft 4 in x 30 ft decks attached to an existing 14 ft x 49 ft 8 in deck, with an existing 3 ft x 11 ft walkway, supported by a total of (6) cribs, with (4) 8 ft 4 in x 14 ft cribs, and reduce (2) remaining cribs to a 12 ft x 14 ft crib, and a 12 ft x 18 ft crib on an average of 310 ft of frontage on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

Repair in-kind existing 18 ft 11 in x 34 ft nonconforming boathouse constructed on (2) existing 8 ft 4 in x 30 ft decks attached to an existing 14 ft x 49 ft 8 in deck, with an existing 3 ft x 11 ft walkway, supported by a total of (6) cribs, with (4) 8 ft 4 in x 14 ft cribs, and reduce (2) remaining cribs to a 12 ft x 14 ft crib, and a 12 ft x 18 ft crib on an average of 310 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 9, 2003, as received by the Department on July 15, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
8. Removed material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau prior to new construction.
9. Repair shall maintain existing size, location and configuration.
10. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

## FORESTRY NOTIFICATION

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**2003-01508                      YANKEE FOREST LLC**  
**MILAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 42, Lot# 2 Parcel I

**2003-01509                      GREEN ACRE WOODLANDS INC**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groton Tax Map 1, Lot# 29

**2003-01510                      DUFFEY, GEORGE & NANCY**  
**SANBORTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sanborton Tax Map 20, Lot# 20

**2003-01511                      VALENTINE-SMITH, MARGARET**  
**HINSDALE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hinsdale Tax Map 21, Lot# 3

**2003-01512                      DEJAGER, JOHN**  
**NORTHFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Northfield, Tax Map R5, Lot# 28-10

**2003-01513                      MUDGETT, MERRILL**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton Tax Map R5, Lot# 17

**2003-01514                      GEORGE, ALAN & MARY MACKILLOP**  
**BROOKFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Brookfield Tax Map 6, Lot# 1

**2003-01515                      CERSOSIMO LUMBER CO INC**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 205, Lot# 28

**2003-01516                      CAHILL, GEORGE**  
**STODDARD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Stoddard Tax Map 419 & 414, Lot# 2 & 19

**2003-01517                      YANKEE FOREST LLC**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groton Tax Map 9, Lot# 1

**2003-01518                      GREAT EASTERN TIMBER CO, C/O WAGNER FOREST MGMT.**  
**CAMBRIDGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
ACCESS ONLY - Cambridge Tax Map 1619, Lot# L1-2

**2003-01520                      WEEKS FAMILY LLC, C/O DANIEL WEEKS**  
**FREMONT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Fremont Tax Map 2, Lot# 79

**2003-01521                      WEEKS FAMILY LLC, C/O DANIEL WEEKS**  
**DANVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Danville Tax Map 2, Lot# 11

**2003-01537                      DEUINK, JEFFREY**  
**DANBURY   Unnamed Stream**

COMPLETE NOTIFICATION:

Danbury Tax Map 4, Lot# 10-96

**2003-01539                      MUDGETT, MERRILL**  
**MEREDITH   Unnamed Stream**

COMPLETE NOTIFICATION:

Meredith Tax Map R12, Lot# 19

**2003-01541                      SCHWAEGLER, BRUCE**  
**ORFORD   Unnamed Stream**

COMPLETE NOTIFICATION:

Orford Tax Map 8-27, Lot# 1A

**2003-01557                      GRIFFTH, JOHN**  
**WILTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Wilton Tax Map F, Lot# 124 & 124-1

**2003-01569                      THAYER, H. REDMOND**  
**BETHLEHEM   Unnamed Stream**

COMPLETE NOTIFICATION:

Bethlehem Tax Map 415, Lot# 74

**2003-01574                      YOUNG, CLAYTON & CAROL**  
**WENTWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:

Wenworth Tax Map 12, Lot# 4-3

**2003-01575                      BARNARD, KARL**  
**TILTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Tilton Tax Map R5, Lot# 32

**2003-01581                      STATE OF NH DRED**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Sky Pond State Forest - access road only

**2003-01582                      NICKSON, PHILIP**  
**NEW IPSWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Ipswich Tax Map 5B, Lot# 16

**2003-01583                      WHITCHER, KENNETH**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton Tax Map R8, Lot# 15

**2003-01585                      MENDUM'S LANDING ASSN, C/O SUSAN COLT, PRES.**  
**BARRINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barrington Tax Map 10, Lot# 4

**2003-01586                      MENDUM'S LANDING ASSN, C/O SUSAN COLT, PRES.**  
**NOTTINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Nottingham Tax Map 5, Lot# 7-1 - 6 & 2-20 - 29

**2003-01608                      MILTON, TOWN OF**  
**MILTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milton Tax Map 18, Lot# 10.6 - 10.10

**2003-01609                      DAMMONN, JAMES**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groton Tax Map 10, Lot# 25

**2003-01610                      BEMIS FARM TRUST**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 422, Lot# 8, 9, & 17

**EXPEDITED MINIMUM**

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**2000-02276 WILLIAMS GROUP**  
**PORTSMOUTH Unnamed Wetland**

Requested Action:

Amend original permit to fill 350 sq. ft. of wetland for the construction of a driveway and installation of a culvert to access a proposed commercial building to be constructed in the upland with the following change: approve after-the-fact an additional 450 sq. ft. in two locations for the construction of an outlet for a treatment swale and construction of utility connections.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

APPROVE AMENDMENT:

Amend original permit to fill 350 sq. ft. of wetland for the construction of a driveway and installation of a culvert to access a proposed commercial building to be constructed in the upland with the following change: approve after-the-fact an additional 450 sq. ft. in two locations for the construction of an outlet for a treatment swale and construction of utility connections.

With Conditions:

1. All work shall be in accordance with plans by Kimball Chase Company dated June 12, 2000 with revisions dated October 17, 2000, as received by the Department on October 18, 2000 and plans dated April 23, 2003, as received by the Department on April 25, 2003.

**2003-01103 DEERFIELD, TOWN OF**  
**DEERFIELD Unnamed Stream**

Requested Action:

Dredge and fill as required to be in compliance with NH DES Wetlands Bureau administrative rule Wt 303.04(x) to provide maintenance, repair or replacement of culverts and their associated headwalls at 55 locations designated in the Town of Deerfield Culvert Maintenance Plan dated 5/22/2003.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill as required to be in compliance with NH DES Wetlands Bureau administrative rule Wt 303.04(x) to provide maintenance, repair or replacement of culverts and their associated headwalls at 55 locations designated in the Town of Deerfield Culvert Maintenance Plan dated 5/22/2003.

With Conditions:

1. All work shall be in accordance with plans by the Town of Deerfield dated 5/22/2003, as received by the Department on May 23, 2003.
2. Any further alteration of areas in addition to the 55 designated culvert maintenance locations that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow or no flow conditions.



**2003-01200                      GRETTTER-LAFLAM, CHERIN**  
**PELHAM    Unnamed Wetland**

Requested Action:

Dredge and fill a total of 232 sq. ft. of palustrine scrub-shrub wetlands, including the flow channel and embankments of a seasonal stream, for work associated with the installation of a new culvert and the widening of Plover Road.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill a total of 232 sq. ft. of palustrine scrub-shrub wetlands, including the flow channel and embankments of a seasonal stream, for work associated with the installation of a new culvert and the widening of Plover Road.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated May 8, 2003 & May 20, 2003, as received by the Department on June 16, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

**2003-01351                      ACEVEDO, RITO & SALLY**  
**HAMPSTEAD    Unnamed Wetland**

Requested Action:

Dredge and fill 2,936 sq. ft. of a former gravel pit that has partially re-vegetated itself as jurisdictional wetlands to install a 24-inch x 33-foot HDPE culvert to provide proper site drainage and driveway access to uplands for a 24,400 sq. ft. multi-family housing facility on a 10-acre lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application form.

APPROVE PERMIT:

Approve the dredge and fill of 2,936 sq. ft. of a former gravel pit that has partially re-vegetated itself as jurisdictional wetlands to install a 24-inch x 33-foot HDPE culvert to provide proper site drainage and driveway access to uplands for a 24,400 sq. ft. multi-family housing facility on a 10-acre lot.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants dated November 29, 2003, as received by the Department on June 30, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f) Projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

**2003-01352**

**WINDWARD REALTY GROUP LLC**

**MEREDITH Unnamed Wetland**

Requested Action:

Temporarily impact 25 square feet of previously disturbed wetland to install a waterline to service existing residence.

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Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact permit.

APPROVE PERMIT:

Temporarily impact 25 square feet of previously disturbed wetland to install a waterline to service existing residence.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated May 20, 2003, as received by the Department on June 30, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours immediately following the installation of the waterline.
7. Area of disturbance shall be seeded with an appropriate wetland mix and mulched with straw immediately following the installation of the waterline.
8. Within three days of final grading or temporary suspension of work in an area that is adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
10. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
12. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f) Projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

**2003-01418 HARWOOD, GEORGE & JUDITH**  
**SALEM Unnamed Wetland**

Requested Action:

Fill approximately 2,800 square feet of forested wetlands to install a 12-inch x 24-foot culvert and construct a driveway to provide access to a single lot (Lot 2) of a 2-lot residential subdivision.

\*\*\*\*\*

APPROVE PERMIT:

Fill approximately 2,800 square feet of forested wetlands to install a 12-inch x 24-foot culvert and construct a driveway to provide access to a single lot (Lot 2) of a 2-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with the Subdivision Plan (Sheet 1 of 2) and the Notes & Details Plan (Sheet 2 of 2) by Pembroke Land Survey Company dated May 20, 2003, as received by the Department on July 7, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on Lot 2.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be conducted during low flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Stone aprons shall be installed at culvert outlets where appropriate to dissipate flow velocities and prevent scour and erosion.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
17. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. The project is categorized as a Minimum Impact Project, per Rule Wt 303.04(f), as the project will disturb less than 3,000 square feet of forested wetlands.
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

**2003-01475 HAYES, PATRICK**  
**WOLFEBORO Unnamed Stream**

Requested Action:

Dredge and fill a total of 570 square feet as follows: Permanently impact 220 square feet of poorly drained forested wetland and install two 15-inch x 25 foot culverts for driveway access to a proposed single family home location and temporarily impact 350 square feet.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact expedited application.

APPROVE PERMIT:

Dredge and fill a total of 570 square feet as follows: Permanently impact 220 square feet of poorly drained forested wetland and install two 15-inch x 25 foot culverts for driveway access to a proposed single family home location and temporarily impact 350 square feet.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated June 9, 2003, as received by the Department on July 11, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The temporary impact area shall be restored to original grade and shall be seeded with an appropriate wetland seed mix and mulched with straw.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a Minimum Project per Administrative Rule Wt 303.04(f); Projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).

**2003-01485 TPCK TRUST, C/O PETER KIRK TRUSTEE**  
**SANDOWN Angle Pond**

Requested Action:

Install a 4 ft x 50 ft seasonal dock on an average of 54 ft of frontage on Angle Pond, Sandown.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application.

There is no existing dockage on the frontage. This is not a dock extension, but an application for a seasonal dock, with additional length because of lack of water depth.

**APPROVE PERMIT:**

Install a 4 ft x 50 ft seasonal dock on an average of 54 ft of frontage on Angle Pond, Sandown.

**With Conditions:**

1. All work shall be in accordance with plans by Peter J. Kirk, as received by the Department on July 14, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), installation of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has demonstrated appropriate proof of need for added length by dated water depths in 5 ft increments.

**2003-01489                      HALL, ARTHUR**  
**NEW LONDON   Pleasant Lake**

**Requested Action:**

Permanently remove existing 4 ft x 20 ft seasonal dock, and install a 6 ft x 24 ft seasonal dock hinged to a 4 ft x 6 ft concrete pad recessed into the bank on an average of 125 ft of frontage on Pleasant Lake, New London.

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**Conservation Commission/Staff Comments:**

Con. Com. signed application.

Application appears to be replacing a seasonal pipe dock with a seasonal dock hinged to a concrete pad.

**APPROVE PERMIT:**

Permanently remove existing 4 ft x 20 ft seasonal dock, and install a 6 ft x 24 ft seasonal dock hinged to a 4 ft x 6 ft concrete pad recessed into the bank on an average of 125 ft of frontage on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated May 12, 2003, as received by the Department on July 16, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Removed material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau prior to construction.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
10. Seasonal pier shall be removed from the lake for the non-boating season.
11. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), replacement of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01490                      ARNOLD, DAVID**  
**NEW LONDON   Pleasant Lake**

Requested Action:

Permanently remove existing 6 ft x 10 ft seasonal dock attached to an existing 4 ft x 20 ft seasonal pier accessed by an existing 2 ft x 8 ft seasonal walkway, and replace with a 6 ft x 30 ft seasonal dock hinged to a 4 ft x 6 ft concrete pad recessed into the bank on an average of 218 ft of frontage on Pleasant Lake, New London.

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Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Permanently remove existing 6 ft x 10 ft seasonal dock attached to an existing 4 ft x 20 ft seasonal pier accessed by an existing 2 ft x 8 ft seasonal walkway, and replace with a 6 ft x 30 ft seasonal dock hinged to a 4 ft x 6 ft concrete pad recessed into the bank on an average of 218 ft of frontage on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 9, 2003, as received by the

Department on July 16, 2003.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. All removed material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau before any new construction may begin.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
10. Seasonal pier shall be removed from the lake for the non-boating season.
11. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
12. The concrete pad shall exist entirely out of jurisdiction.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), replacement of an existing 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01548                      DEMOULAS LIVING TRUST, MARION**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Reset fallen rocks on 70 linear ft of existing breakwater in an "L" shape on an average of 100 ft of frontage on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Reset fallen rocks on 70 linear ft of existing breakwater in an "L" shape on an average of 100 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 9, 2003, as received by the Department on July 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-01549                      PEJOUHY REALTY TRUST, C/O RADI PEJOUHY TTEE**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Repair in-kind 50 sq ft of existing 65 linear ft breakwater by resetting fallen rocks on an average of 225 ft of frontage on Wolfeboro Neck, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair in-kind 50 sq ft of existing 65 linear ft breakwater by resetting fallen rocks on an average of 225 ft of frontage on Wolfeboro Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated June 20, 2003, as received by the Department on July 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if



the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-01559                      PETERS, LEO**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Replenish existing 20 ft x 20 ft beach with 9 cu yds of sand on an average of 100 ft of frontage on Black Cat Island, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

This locus was digitized on lot 25 as indicated on the tax map, not on lot 39 as indicated on the application.

Location is indeed lot 25, as indicated on the tax map.

Con. Com. signed application.

APPROVE PERMIT:

Replenish existing 20 ft x 20 ft beach with 9 cu yds of sand on an average of 100 ft of frontage on Black Cat Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Leo Peters, as received by the Department on July 21, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No more than 9 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(d), replenishment of an existing beach using no more than 9 cu yds of sand.

**2003-01593                      TARDIF, RICHARD**  
**MEREDITH   Lake Winnisquam**

Requested Action:

Add a 6 ft by 12 ft seasonal extension to an existing 6 ft by 40 seasonal dock on 100 ft of frontage Lake Winnisquam, Meredith.

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Conservation Commission/Staff Comments:

Con Com signed Expedited Application

APPROVE PERMIT:

Add a 6 ft by 12 ft seasonal extension to an existing 6 ft by 40 seasonal dock on 100 ft of frontage Lake Winnisquam, Meredith.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 22, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 52 feet from the shoreline at full lake elevation.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).

**TRAILS NOTIFICATION**

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**2003-01533                      FRANCESTOWN CONSERVATION COMMISSION, BETTY HARDWIC**  
**FRANCESTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:

Fancestown Tax Map 4, Lot# 5 & 6

**2003-01556                      RANDOLPH, TOWN OF**  
**RANDOLPH   Unnamed Stream**

COMPLETE NOTIFICATION:

Randolph Tax Map 9, 10 & 12 Lot# 1

**ROADWAY MAINTENANCE NOTIF**

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**2003-01624                      MOREAU, RICHARD**  
**JEFFERSON   Unnamed Stream**

**2003-01625                      NH DEPT OF TRANSPORTATION**  
**CARROLL   Unnamed Stream**